

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

FILED

JAN 24 2018

Clerk, U.S. District Court
District Of Montana
Helena

UNITED STATES OF AMERICA

CR-13-06-H-CCL

Plaintiff,

vs.

ORDER DENYING PRO SE
MOTIONS

VEGAS CLAY CALDER,

Defendant.

Defendant Calder, who is currently incarcerated at a U.S. Penitentiary in Leavenworth, Kansas, filed *pro se* "Motion To Release Funds" (Doc. 50), and "Motion For Return of Seized Property" (Doc. 51). Defendant states, correctly, that this Court ordered the Helena Police Department to "turn over \$5,100.00 of the \$7,700.00 in U.S. Currency to the Clerk of Court for application to the special assessment and fine." (Doc. 43). Defendant incorrectly states that this "Court ordered that the remaining proceeds (\$2,600) be returned to Calder."

The Clerk of Court received the \$5,100.00 from the Helena Police Department on January 14, 2014. The Government stated it "has no interest in the remaining \$2,600.00 in U.S. Currency left over from the original amount of \$7,700.00 seized." (Doc. 40, page 2.) This Court confirmed the remaining balance

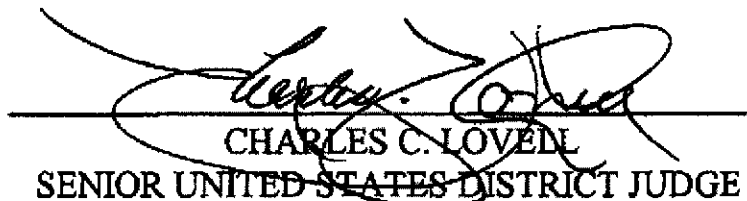
of \$2,600.00 of the seized funds is in the possession of the Helena Police Department. It appears to the Court that the United States has no further interest in or claim to the funds still held by the Helena Police Department and claimed by the Defendant in this case. It is unknown whether Montana has any right to a forfeiture claim of these funds.

Accordingly, in the absence of any further federal interest herein,

IT IS HEREBY ORDERED that Defendant's "Motion To Release Funds" (Doc. 50) and "Motion For Return of Seized Property" (Doc. 51) are DENIED.

The Clerk is ordered to notify Defendant Calder of the entry of this order and the Helena Police Department.

DONE and DATED this 24th day of January, 2018.



CHARLES C. LOVELL
SENIOR UNITED STATES DISTRICT JUDGE